

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DANIEL C. MOORE,

Case No. 6:14-cv-01776-CL

Plaintiff,

ORDER

v.

COLETTE PETERS, et al.,

Defendants.

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Aiken, Chief Judge:

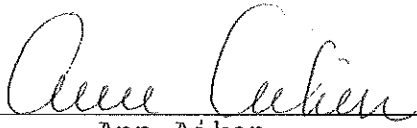
Magistrate Judge Clark issued his Findings and Recommendation in the above-captioned case on June 4, 2015, recommending that defendants' motion for judgment on the pleadings should be granted. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981).

Plaintiff filed objections to the Findings and Recommendation. Upon de novo review, I find no error with Magistrate Judge Clarke's thorough analysis and reasoning.

Accordingly, IT IS HEREBY ORDERED that Magistrate Judge Clarke's Findings and Recommendation (doc. 29) issued on June 4, 2015 is ADOPTED in its entirety. Defendants' Motion for Judgment on the Pleadings (doc. 22) is GRANTED. Plaintiff's Eighth Amendment claim is dismissed with prejudice and plaintiff's claim under the Oregon Constitution is dismissed without prejudice.

IT IS SO ORDERED.

Dated this 24 day of November, 2015.

  
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Ann Aiken  
United States District Judge